



State of Tennessee
Department of Children's Services

**Incident Reporting Manual: Contract Agencies,
DCS Foster Care and Child Protective Services**

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Part 1

General Instructions

Reporting incidents promptly and accurately is absolutely critical to the daily operation of the Department of Children's Services (DCS). Without the reporting of incidents, the Department's ability to respond to inquiries from the media, the legislative or executive branches of State government, or the general public would be seriously compromised.

Classification of Incidents

To facilitate the reporting of incidents, lists of incidents likely to occur at contract agencies have been developed. While the lists are not inclusive, they should be used as guides by those individuals charged with reporting incidents. Incidents are classified as *Type A* or as *Type B*.

Type A Incidents

Type A incidents are defined as those significant events that, by their nature, compromise the safety and security of staff and/or children or youth at a facility or in the community, **or that may result in media attention.**

Type B Incidents

Type B incidents are less serious in nature than *Type A* incidents and generally do not compromise the safety and security of children or youth, staff, programs, and facilities. *Type B* incidents are unlikely to draw media attention. A *Type B* incident may rise to the level of a *Type A* incident under certain circumstances. If there is any doubt whether the incident should be classified as *Type A* or as *Type B*, it should always be classified as *Type A*.

Listings specific to contract agencies, Foster Care, and Child Protective Services follow in Part 3. If an incident is not listed, the reporting individual must categorize the incident as accurately as possible within these guidelines.

Forms

Incidents

Contract agencies and DCS Regional and Field staff must use the appropriate form *CS-0496, Serious Incident Report for DCS Contract Agencies and DCS Foster Homes*, or form *CS-0495, Monthly Summary of Type B Incidents* to report incidents.

All forms listed in this manual can be accessed from DCS Forms or Templates at the following web site:
<http://www.intranet.state.tn.us/chldserv/FormsANDTemplates/Templates/index.htm>

Route for Reports

Reports must be completed in the field by the responsible staff and e-mailed (or faxed if e-mail capabilities are not operational), according to the schedules in Part 3 of this manual, to the commissioner's designee. It is the responsibility of the commissioner's designee to make the proper distribution in the central office.

Paperwork Flow in the Central Office

The commissioner's designee identifies the original e-mailed reports received in the commissioner's office (central office) with a red magic marker. The report is registered in a log of receipts and distributed as appropriate, based on the source of the document. After the appropriate staff has reviewed it, the report is forwarded to the commissioner.

The commissioner's designee must file copies of all incident reports with the Director of Internal Affairs.

Supplemental Reports

Death of child/youth or DCS/contract services employee:

The subsequent death of a child/youth, DCS staff or contract agency staff that results from a previously reported incident must not be reported as a new and separate incident. Such a death must be reported as a supplemental to the incident report and reported on form *CS-0311A, Incident Report Addendum*. The death of staff outside the line of duty is not reported as an incident.

Internal Affairs Investigation:

A supplemental report should also be filed upon the conclusion of any Internal Affairs investigation.

Return or apprehension:

The return of a runaway is **not** a separate incident. When a child or youth who has run away is returned, form *CS- 0296, Notice of Apprehension*, must be completed and forwarded to the commissioner or designee's office. The *Notice of Apprehension* form must reference the original incident report number. If a child or youth is returned **prior** to the forwarding of the *Incident Report*, the apprehension information should be recorded on the incident report and it is not necessary to complete a *Notice of Apprehension* form.

Physical Intervention:

Incidents of physical intervention must be handled as provided in DCS policy 27.3, *Use of Physical Restraint*. If the incident involving intervention falls into either a **Type A** or **Type B** incident category, an incident report will be filed in addition to form *CS-0031, Use of Physical Intervention*.

Runaways:

Departmental staff must use DCS form *BI-0083, TBI Missing Child Report* to request that local law enforcement place children or youth who escape or runaway on *NCIC* (National Crime Information Center.)

Part 3

Procedures for Contract Agencies and Department of Children's Services Foster Care and Child Protective Services

Time Frames for Reporting Incidents

Type A Incidents

Incidents occurring during regular work hours. All Type A incidents occurring during regular working hours (8:00 a.m. – 4:30 p.m., Central Time on Monday through Friday) must be reported **immediately** by telephone and must be faxed to:

- ◆ The Incident Reviewer in the Resource Management Division, (615) 741-0249 or 741-8905 (switchboard), for Contract Agencies, Child Protective Services and Foster Care.

In contract agencies, the agency is responsible for notification of the child/youth's parent or guardian.

The written incident report must be faxed to the central office **immediately** at **(615) 532-1130**. The department reviewer must immediately notify the Commissioner, Public Information Officer or other staff as necessary.

Incidents occurring in contract agencies at times other than during regular working hours. For *Type A* incidents occurring during holidays or weekends, or after regular working hours, the written report must be faxed by 9:00 a.m. local time on the next working day. The provider will **immediately** notify the home county case manager and the Incident Reviewer in the Resource Management Division. The home county case manager will be responsible for contacting their supervisor. **Within 24 hours of the Type A incident, report to the Incident Reviewer in Central Office all follow-up regarding action taken must be completed.**

Contract agencies must also submit all Type A Serious Incidents on form CS-0495A Monthly Summary of Type B Incidents, to the Incident Reviewer by the 10th of every month.

Guidelines for Reporting Incidents

Information To Be Included In Type A Incident Reports

Reports must contain summary information and must highlight noteworthy specifics of the incident. Such noteworthy specifics must include, but not be limited to:

- Injuries sustained
- Individuals involved in the incident
- Contact with outside law enforcement agencies
- Contact with individuals associated with the media
- Whether there is any on-going CPS, licensing, or internal affairs investigation.

Preparation of All Reports

1. Reports should be typed whenever possible.
2. In the event the report cannot be typed, reports must be **printed legibly** with a ballpoint or roller-ball pen in black ink. (Pencils and felt-tipped pens are not acceptable.)
3. All pages must include page numbers.

Filing Reports and Summaries

Incident Reporting by Contract Agencies

Type A Reports involving child abuse/neglect. Type A incidents that involve the categories: abuse by staff, excessive force, rape, sexual assault, denial of critical care, or CPS death or serious injury, must be reported immediately to Child Protective Services in the county where the incident occurred as well as the Incident Reviewer in the Resource Management Division. All matters concerning abuse or neglect of foster children in DCS custody in institutional, group, residential or contract agency foster home placements shall also be reported to and reviewed by the quality assurance unit and, as appropriate, the licensing division. Where appropriate, the quality assurance unit and licensing division shall complete within 90 days development of a corrective action plan, monitoring of the implementation of the corrective action plan, and determination of additional monitoring needed.

Type A reports. When the incident is a Type A incident, the contract agency must **immediately** (during working hours) contact the Incident Reviewer in the Resource Management Division, the home county case manager, and the child/youth's parent or guardian, as appropriate. The contract agency must then complete the incident report.

- The agency keeps a copy for the contract facility's records.
- A copy must be forwarded to the residential case manager, who shall include the report in the child's or youth's case file.
- The agency must send a fax of the incident to the Incident Reviewer in the Resource Management Division of the Department of Children's Services (615) 532-1130.

The Division of Policy, Planning and Research in the central office tracks reports from contract agencies on both types of incidents, A and B.

Incident Reporting of Foster Care and Field Staff

Type A Incidents. The residential case manager must contact the home county case manager and the Incident Reviewer in the Resource management Division to report Type A incidents **immediately** (during working hours by telephone. If appropriate, the child/youth's parent must be notified by the home county case manager. The residential case manager must then complete the required incident report and fax the Type A incident report to the incident Reviewer in the central office.

- The original copy of the incident report is retained in the child/youth's file.
- The residential case manager must mail a copy of the form to the home county case manager by the next working day.

Incident Reporting by CPS Staff

Type A incidents only. After **immediately** reporting a Type A incident by telephone to the Incident Reviewer, the Child Protective Services worker must complete an incident report and fax a copy to the Incident Reviewer in Central Office. The Incident Reviewer must notify the Commissioner, the

appropriate Assistant Commissioner and the Public Information Officer. The Child Protective Services worker must retain the original of all incident reports in the case file for the child or youth involved.

Type A Incidents

For the purposes of this manual, Type A incidents are defined as those significant events that, by their nature, compromise the safety and security of staff and/or children or youth at a facility or in the community, or **which may result in media attention**. If there is a question about whether an incident qualifies as a Type A incident, it must be reported as Type A.

Examples of Type A incidents include the following:

Abduction of a child or youth	A child or youth in care is taken from the care and control of the facility by unauthorized individuals (i.e., alleged perpetrators of abuse, non-custodial parents or relatives).
Abuse by staff (<i>Notify CPS Intake immediately in the county where incident occurred.</i>)	A DCS or a contract agency staff member (this includes foster care parents) is alleged to have physically or sexually abused a child or youth, and the allegations appear to have merit.
Arrest of child or youth	A child or youth is arrested while in the custody or control of the Department and the arrest has been confirmed by a law enforcement agency .
Arrest of staff	The arrest of a DCS or a contract agency staff member, including foster care parents has been confirmed by a law enforcement agency .
Arson	A child or youth or any other individual has willfully and maliciously set fire, burned, or caused to be burned (or has aided, counseled, or procured the means to burn) any property, building, or structure and has caused, or has created the potential for, significant damage to persons or property, and this action has necessitated contacting the appropriate fire-fighting agency.
Assault (major)	<p>A physical attack on an individual by a child or youth that necessitated medical attention other than that given at the facility or contract agency where the assault occurred. These assaults will be categorized into three types:</p> <ol style="list-style-type: none"> 1. Assault by a child or youth on another child or youth. If the child or youth victim requires medical attention other than at the facility, his or her custodial adult must be notified. 2. Assault by a child or youth on a staff member. 3. Assault by a child or youth on a visitor or member of the general public.
Bomb threats	All bomb threats.

CPS death or serious injury (<i>Notify CPS intake immediately in county where incident occurred.</i>)	The death of, or serious injury to, a Child Protective Services child or youth. The incident report must indicate whether the child or youth is a current case or closed case within two (2) years.
Death, child or youth involved	A death has occurred, and a child or youth is associated with that death, but not in a homicidal capacity . For example, this type of incident includes a child or youth witnessing a death or a child or youth being involved in an accidental death.
Death of child or youth	The death of a child or youth that is not the result of a previously reported incident or illness.
Death of employee	The death of an employee who has died while on duty.
Denial of Critical Care (<i>Notify CPS Intake immediately in county where incident occurred.</i>)	A DCS or a contract agency staff member is alleged to have failed or delayed seeking medical or mental health care or failed to provide supervision which may endanger a child/youth's life or health.
Emergency treatment	<p>An individual has been injured or has suffered an illness that requires hospitalization, emergency-room treatment, or referral to outside medical resources. This treatment can be categorized as either:</p> <ol style="list-style-type: none"> 1. Treatment of a child or youth. (In this instance, the child or youth's custodial adult must be notified.) 2. Treatment of the illness of a staff member or contract agency staff person while on duty.
Evacuation/Physical Plant Problems	The evacuation of a facility because of threats or episodes of disaster or because there was a real and/or perceived danger to lives and property. A facility experiences a physical plant problem that directly jeopardizes the safety and well being of children/youth or staff.
Excessive force (<i>Notify CPS Intake immediately in county where incident occurred.</i>)	A DCS or a contract agency staff person is alleged to have used excessive force in the physical restraint of, or against a child or youth and there is injury to the child or to staff.
Law enforcement, use of	Any situation for which law enforcement agencies, whether local or state, have been called for assistance in addressing a problem situation at the facility or program and the situation could create media attention or is an issue seriously affecting the safety of children or staff .
Medication error	An error has been made in administering medication that seriously affects, or has the potential to seriously affect the health or safety of a child or youth.
Mental health transfer, emergency	A child or youth has been deemed to be in need of mental health treatment and has been transferred to a mental health facility.
Rape (<i>Notify CPS Intake immediately in county where incident occurred.</i>)	A child or youth is alleged to have raped (sexually penetrated) another child or youth and is alleged to have used coercion to accomplish the act, and the allegations appear to have merit.

Restraint	To physically restrict the movement of a child in a manner to briefly control where a disruptive situation/safety risk has presented itself.
Riot	Violence or disruption by a group of children or youth that causes confusion and disorder and poses a safety risk to children, youth staff, or the community.
Runaway (The case manager and parent(s) must be notified immediately.)	A child or youth has left the custody or supervision of a DCS or a contract agency staff person without authorization.
Self-mutilation	A child or youth has cut, stabbed, ripped, burned, or otherwise damaged a portion of his body by self-inflicted means such that he or she requires medical attention. If medical attention is required, the child or youth's custodial adult must be notified.
Sexual assault (<i>Notify CPS Intake immediately in county where incident occurred.</i>)	A child or youth is alleged to have sexually assaulted another youth or child.
Suicide	A child or youth has taken his/her own life.
Suicide, serious attempt	A child or youth has engaged in behavior that can be reasonably construed as an attempt to end his or her life, and the child or youth has been hospitalized.
Vehicle accident (major)	A state vehicle, or personal vehicle used for state business, has been involved in an accident, resulting in an injury or significant property damage.
Weapon, possession of	A child/youth or any individual has gained or maintains control over any firearms or other object likely to cause serious injury or death, without authorization, and/or causes it to be brought into a foster home or contract agency facility property.

Type B Incidents

Type B incidents are less serious than Type A incidents and generally do not compromise the safety and security of children or youth, staff, programs, and facilities. Type B incidents are unlikely to draw media attention. A Type B incident may rise to the level of a Type A incident under certain circumstances. If a staff member is uncertain about the level of an incident, it must be reported as a Type A.

Examples of Type B incidents are as follows:

Admission to hospital	A child or youth is admitted to a hospital for any reason at the recommendation of a physician.
Assault (minor)	A child or youth in DCS custody has physically attacked another individual. Any medical treatment has been handled on campus. These assaults are categorized into three types. 1. Assault by a child or youth on another child or youth (minor).

	<ol style="list-style-type: none">2. Assault by a child or youth on a staff member (minor).3. Assault by a child or youth on a visitor or member of the general public (minor).
Drugs or intoxicants, possession or use of	A child or youth or other individual uses, possesses, or gains or maintains control over any illegal or unauthorized drug, and/or causes such an item to be brought onto the facility grounds or to the foster/adoptive home; these drugs may include, but are not limited to, narcotics; hallucinogens; opiates; barbiturates; stimulants; marijuana; beer, wine, or other alcoholic beverages; or any medication not properly prescribed by a physician for that specific individual.
Failure to return	A child or youth on a pass has not returned to a facility at the scheduled time.
Impropriety, alleged	Allegations are made concerning improper acts or associations between a child or youth and DCS and/or contract agency staff, including foster care parents.
Restraint	A child has been physically restrained.
Runaway (<i>Case Manager and Parent(s) must be notified immediately.</i>)	A child or youth has left the custody or supervision of a DCS or a contract agency staff person without authorization.
Seclusion	A child or youth has been secluded from the general population.
Sexual misconduct, alleged	Allegations have been made concerning the sexual misconduct of one or more children or youth at the facility/program.
Staff injury (major)	A DCS staff person has been injured on duty, and the injury required treatment off campus. The staff member did not return to work that day.